

REMARKS

Upon entry of the present amendment, the claims will not have been amended and no new claims will have been submitted. In view of the herein contained remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection set forth in the abovementioned Official Action.

Initially, Applicants wish to thank the Examiner for acknowledging their claim for foreign priority under 35 U.S.C. § 119, as well as for confirming receipt of the certified copy.

Further, Applicants respectfully thank the Examiner for considering the documents cited in the Information Disclosure Statement filed on February 2, 2001.

However, Applicants note the Examiner's assertion that it is not "in proper form of PTO-1449". In this regard, Applicants wish to point out that the documents cited in the Information Disclosure Statement of February 2, 2001 are unpublished, pending applications. Accordingly, citing them on a PTO-1449 Form is improper. The PTO-1449 Form is used for published documents and represents the documents that will be printed on the cover sheet of the patent, when it issues. However, since the documents cited in Applicants' Information Disclosure Statement were not published documents, they were, properly, not listed on a PTO-1449 Form.

Moreover, since each of these applications has now issued as a patent, Applicants are submitting a PTO-1499 Form listing the patent numbers of each of these documents. Applicants respectfully request the Examiner to confirm consideration of the patents based on the previous proper submission of the applications and his indication that he has

considered the applications. Such action is respectfully requested and is now believed to be appropriate and proper.

Turning to the merits of the outstanding Official Action, the Examiner has rejected claims 1-5, all the claims pending in the present application, as unpatentable under 35 U.S.C. § 103 over NAKAZAWA (U.S. Patent No. 5,243,416) in view of EINO (U.S. Patent No. 6,120,435).

Applicants respectfully traverse the above rejection and submits that these two references, whether considered individually or in any proper combination, do not disclose the combination of features recited in Applicants' claims. Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection, together with an indication of the allowability of all the claims pending in the present application, in due course. Such action is respectfully requested and is now believed to be appropriate and proper.

Applicants' invention is directed to an electronic endoscope, and in particular, to a selector for an electronic endoscope. In the terms recited in pending claim 1, Applicants' electronic endoscope selector includes a video signal switching processor that selects one electronic endoscope unit from among a plurality of electronic endoscope units and feeds video signals obtained by the selected electronic endoscope unit to an image indicating device. The selected electronic endoscope unit can be switched to another electronic endoscope unit.

Applicants' invention further includes a video signal processor that processes the video signals that are fed to the image indicating device so as to adjust the color tone of an

image displayed on the image indicating device. Further, an image state parameter storing processor is provided and stores image state parameters by which the color tone is adjusted and which correspond to each of the plurality of electronic endoscope units. Finally, Applicants' invention provides an image state parameter setting processor that is used to set the image state parameters. It is respectfully submitted that the combination of features recited in Applicants' claims are not taught, disclosed nor rendered obvious by the combination of references cited by the Examiner.

In setting forth the rejection, the Examiner asserted that EINO discloses inter alia "storing processor that stores image-state parameter and setting processor that is used to set the image state parameters (Fig. 3, CPU 27, ROM and RAM)". Applicants respectfully traverse the Examiner's assertion and submits that the Examiner's assertion, as well as his interpretation of the EINO reference, is incorrect.

EINO is directed to an endoscope system in which operation switch sets are designed to function and be handled the same way and are included in an endoscope and an image processing apparatus. In particular, EINO provides an endoscope system that enables a user who is familiar with only one manner of operation of the endoscope to select a convenient operating member from among a plurality of operating members formed on different components of the endoscope system, such that any selected operating member may be handled the same way.

As noted by the Examiner, EINO does disclose the CPU 27, a ROM 28 and a RAM 29. However, none of these components is explicitly or implicitly disclosed to include an

image state parameter storing processor or an image state parameter setting processor as recited in Applicants' claims 1 and 5. In this regard, Applicants note, with respect to column 4, lines 36-42 of EINO, that the CPU is disclosed to be connected to a ROM 28 in which software (specifically programs and relevant data items) is stored and to a RAM 29 which is used as a work area for executing software or used to temporarily store data. However, there is no indication whatsoever within the disclosure of EINO, that image state parameters are utilized or that a storing processor is provided for storing image state parameters or that a processor is provided for setting the image state parameters.

EINO discloses at least 11 different embodiments of the endoscope system to which his invention is directed. However, not a single one of those embodiments makes any mention, whatsoever, of image state parameters by which color tone is adjusted. Moreover, since EINO is only directed to a single electronic endoscope, there cannot be any adjustment of color tone by image state parameters or otherwise such that the color tone corresponds to each of the plurality of electronic endoscope units, as is recited in Applicants' claims 1 and 5. Thus, the disclosure of EINO does not support those features for which it was relied upon by the Examiner in setting forth the rejection.

NAKAZAWA does not remedy the above-noted shortcomings of EINO. In particular, NAKAZAWA is directed to a method and apparatus for recording a plurality of non-synchronized image data. NAKAZAWA does disclose switching between a plurality of endoscope devices. However, NAKAZAWA does not disclose an image state parameter storing processor or an image state parameter setting processor as recited in Applicants'

claims 1 and 5; nor does NAKAZAWA contain any disclosure regarding image state parameters, as recited in Applicants' claims. Accordingly, NAKAZAWA cannot overcome the above-noted deficiencies of EINO.

Yet further, no proper combination of EINO and NAKAZAWA can render unpatentable the combination of features recited in Applicants' claims.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection, together with an indication of allowability of all the claims pending in the present application, in due course. An action to such effect is respectfully requested in due course.

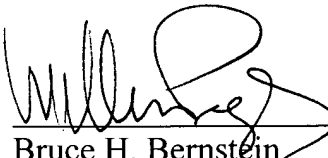
SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants' have not amended the claims in present application at all. However, Applicants have traversed the Examiner's rejection and shown that it is inappropriate and improper.

Applicants have discussed the disclosures of each of the references and have compared the same to the recitations of Applicants' claims. Applicants have reviewed the features of Applicants' claims and have pointed out the shortcomings of the references with respect to such recited features. Accordingly, Applicants have provided a clear evidentiary basis for the patentability of all the claims in the present application and respectfully request an indication to such effect, in due course.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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